

This Page Is Inserted by IFW Operations  
and is not a part of the Official Record

## **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning documents *will not* correct images,  
please do not report the images to the  
Image Problem Mailbox.**

Beiersdorf 652.1-KGB  
6713-Dr. Wistar

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**FAX RECEIVED**

APPLICANTS

MARION DETERT ET AL.

FEB 21 2003

SERIAL NO.

09/838,411

GROUP 1600

FILED

April 19, 2001

FOR

SULPHONATED COMB POLYMERS AND PREPARATIONS,  
IN PARTICULAR HAIR COSMETIC PREPARATIONS, BASED  
ON SUCH SULPHONATED COMB POLYMERS

ART UNIT

1617

EXAMINER

E. Webman

**OFFICIAL**

February 20, 2003

Hon. Commissioner of Patents  
Washington, D.C. 20231

**RESPONSE TO RESTRICTION REQUIREMENT**

SIR:

In response to the restriction requirement dated January 21, 2003, Applicants hereby elect with traverse to prosecute in this application the subject matter of Group I, claims 1-4, and for the two species elections the species of Preparation Example 1 on page 20 of the specification.

**CONDITIONAL PETITION FOR EXTENSION OF TIME**

If entry and consideration of the amendments above requires an extension of time, Applicants respectfully request that this be considered a petition therefor. The Commissioner is

MARION DETERT ET AL  
USSN 09/838,411

authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.

REMARKS

Applicants expressly reserve the right to prosecute the non-elected subject matter in a divisional application, if necessary.

Applicants respectfully request that the Examiner reconsider and withdraw the restriction requirement. Although the Examiner has characterized the relationship between Group I, claims 1-4, and Group II, claim 5, as being that of an intermediate-final product, the fact remains that if the comb polymers of Group I are found to be novel and unobvious, then the composition of Group II containing the novel and unobvious comb polymers must be novel and unobvious itself as a matter of law. Accordingly, the Examiner should either withdraw the restriction requirement altogether, or else agree to rejoin and examine Group II in the event Group I is found to be allowable.

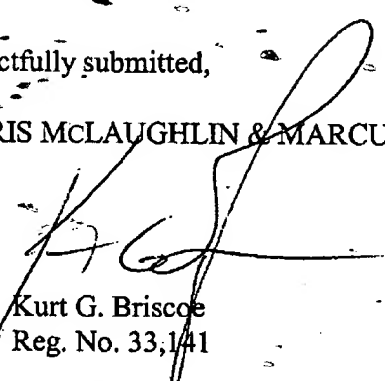
MARION DETERT ET AL.  
USSN 09/838,411

Early and favorable action is earnestly solicited.

Respectfully submitted,

NORRIS McLAUGHLIN & MARCUS, P.A.

By

  
Kurt G. Briscoe  
Reg. No. 33,141

220 East 42<sup>nd</sup> Street  
30<sup>th</sup> Floor  
New York, New York 10017

(212) 808-0700

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the foregoing Response to Restriction Requirement (3 pages total) is being facsimile transmitted to the United States Patent and Trademark Office on the date indicated below:

Date: February 20, 2003

By

  
Kurt G. Briscoe